



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,829	12/08/2003	Norbert Brun	1948-4827	4220

27123 7590 12/07/2005  
MORGAN & FINNEGAN, L.L.P.  
3 WORLD FINANCIAL CENTER  
NEW YORK, NY 10281-2101

EXAMINER

ZANELLI, MICHAEL J

ART UNIT PAPER NUMBER

3661

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/730,829	Applicant(s) BRUN ET AL	
	Examiner Michael J. Zanelli	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 12-15 is/are rejected.
- 7) ☒ Claim(s) 8-11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/20/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The application filed 12/8/03 has been examined. Claims 1-15 are pending.
2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
3. The IDS filed 9/20/04 has been considered.
4. The abstract of the disclosure is objected to because it exceeds one paragraph. Correction is required. See MPEP § 608.01(b).
5. The drawings are objected to because blocks 5 and 8 of Fig. 1 must have descriptive legends.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Art Unit: 3661

6. Claims 13-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. As per claim 13, "the camera" lacks antecedence.

B. As per claim 14, "the perspective lines" lacks antecedence. See claim 11.

C. As per claim 15, the claim incorporates the headlamp control of claim 1; however, claim 1 does not positively recite that the combination of the camera, image processing unit and specific light point emission device function together to control the orientation of the headlamp.

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 2, 4, 5 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Kumra et al. (5,633,710).

A. As per claims 1 and 15, Kumra discloses a system for adjusting the orientation of a vehicle headlamp (Figs. 1, 2) which includes an optical sensor system (42) ("camera") (col. 4, lines 18-22), a control circuit (46) for processing the outputs of the optical sensor (42) and generating headlamp orientation signals, and a specific light point emission device (30). See also abstract.

B. As per claim 2, as shown in Fig. 2 the specific light point emission device (30) is mounted on the reflector (14).

C. As per claims 4 and 5, as above whereby the specific light point emission device (30) and the optical sensor system (42) may operate in the infrared frequency range (col. 3, lines 15-19; col. 4, lines 18-22).

9. Claims 1-5 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Couillaud et al. (2002/0075691).

A. As per claims 1 and 15, Couillaud discloses a system for adjusting the orientation of a vehicle headlamp (Fig. 1) which includes an optical sensor [0040, 0045], a processing means for processing the outputs of the optical sensor and generating headlamp orientation signals [0058-0059], and a specific light point emission device (1). See also abstract.

B. As per claim 2, as shown in Fig. 1 the specific light point emission device (1) is mounted on the reflector (R).

C. As per claims 3-5, as above whereby the specific light point emission device (1) may be a laser beam source which emits infrared radiation [0078] and can be detected by CCD array [0045].

10. Claims 1-7, 12 and 15 are rejected under 35 U.S.C. 102(b) as anticipated by Lopez et al. (6,144,159).

A. As per claims 1 and 15, Lopez discloses a system for adjusting the orientation of a vehicle headlamp (Fig. 1a, 2a, 3) which includes a camera (30) (col. 4, lines 59-60), a processing means for processing the outputs of the camera and generating headlamp orientation signals (Fig. 2a) (col. 3, lines 48-56), and a specific light point emission

device (Fig. 1a) (Abs; col. 3, lines 29-43). The system controls the orientation of the headlamps to compensate for changes in the pitch of the vehicle (col. 3, lines 7-14).

B. As per claim 2, as above whereby the specific light point emission device may be integrated into the headlamp (col. 3, line 66 to col. 4, line 1).

C. As per claims 3-5, as above whereby the specific light point emission device may be a visible light source (i.e., laser) or infrared source, with a camera appropriately configured to detect the light source used (col. 3, lines 34-43).

D. As per claim 6, as above whereby the headlamp orientation control system operates to record and process images of the road scene in front of the vehicle, determine horizon line and relationship of a specific point relative to the horizon line in order to adjust the orientation of the headlamps to correspond with a desired relationship to the horizon line (see Figs. 1a-9b; Abs; col. 2, line 61 to col. 4, line 65).

E. As per claim 7, as above whereby the light point emitted by the headlamp is different from a light beam illuminating the road scene (Fig. 1a).

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited documents are of general interest.

12. As per claims 8-11, 13 and 14, the prior art of record does not show or reasonably suggest, in combination with the other claimed subject matter, the processing of at least to images to produce a processed image (8-10) or determining perspective lines (11,14) or defining the pre-defined distance as corresponding to a number of frame lines of the camera (13).

Art Unit: 3661

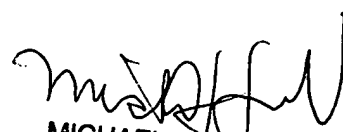
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Zanelli whose telephone number is (571) 272-6969.

The examiner can normally be reached on Monday-Thursday 8:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/mjz

  
MICHAEL J. ZANELLI  
PRIMARY EXAMINER